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JUSTIN JOSEPH D'ELIA  
DIRECT DIAL: (212) 692-1069  
PERSONAL FAX: 212.202.4848  
E-MAIL: jjdelia@duanemorris.com

www.duanemorris.com

December 7, 2010

SENT BY FAX

Judge P. Kevin Castel  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

*Initial conference  
adjourned from December 15  
to Jan. 27, 2011 at 2:15PM  
SO ORDERED.  
[Signature]  
USDJ  
12-7-10*

Re: Gary Cruz v. TD Bank, N.A., Case No.: 10-cv-8026

Dear Judge Castel:

We represent Defendant, TD Bank, N.A., in the above-referenced matter. We write in accordance with your Honor's Individual Practice Rule, 1C, to request that the December 15, 2010 initial pretrial conference be adjourned to January 27, 2010. The parties have conferred and agreed upon the requested date. There have been no previous adjournment of this conference.

We respectfully request that the Court grant our request.

Respectfully submitted,

*[Signature]*  
Justin Joseph D'Elia

SO ORDERED

Dated: Hon. P. Kevin Castel U.S.D.J.

cc: G. Oliver Koppell, Esq.  
Daniel F. Schreck, Esq.

DUANE MORRIS LLP

1540 BROADWAY NEW YORK, NY 10036-4086

PHONE: +1 212 692 1000 FAX: +1 212 692 1020